

REMARKS

Applicant has amended the claims to correct minor antecedent basis errors pointed out by the examiner.

The examiner rejected claims 1-12 and 15-26 as being anticipated by Baueh et al. US Patent 6,098,093.

Applicant's claim 1 is distinct over Baueh. Claim 1 calls for a method for removing duplicate records produced from gathering statistics concerning network data packets. Baueh does not suggest this aspect of Applicant's invention. Further, Claim 1 recites determining whether a session key associated with a network record maps to an active session and, *** determining whether a record key associated with the network record exists within the session. Claim 1 also calls for dropping the network record if the session key exists in the session. These features are not disclosed by the techniques to maintain session information among multiple clustered computers, as provided in Baueh.

The examiner fails to address all of the limitation of Applicant's claims, and instead has focused on the word "session." However, all of the positively recited limitations in claim 1 must be given patentable weight. Therefore, a reference which discusses session services for servlets in a clustered computer system does not provide any basis to reject claim 1, as being anticipated.

That being said, the examiner relies on col. 10, lines 58-60, col. 11, lines 49-52 and col. 12, line 61 to col. 13, line 2 to disclose dropping the network record. These excerpts are reproduced below:

If a servlet is written not to use session-related information, the servlet will perform its specific processing, eventually finishing and returning its results to the server through the response object with which it was invoked. While the servlet may have been invoked with a valid session ID present in the request object, it will not have made use of that session. The features of the present invention by which session services are used by servlets are not applicable to this scenario, and this scenario will not be discussed further. (*Baueh col. 10, lines 54-60*)

Step 320 indicates that, in the preferred embodiment, the session client will get configuration properties from the session server. There are a number of such session properties defined for use in the Session Tracking feature of the Java Servlet API. These properties include such things as the length of time for which a session can be inactive before it should be considered expired, and deleted from the system; how often to check for inactive sessions; whether cookies or URL rewriting is being used to implement session services; etc. (*Baueh col. 11, lines 49-57*)

If the test at Step 410 is positive, indicating that the session is already locked by another application servlet, control transfers to Step 460. At Step 460, an entry will be placed on this session's FIFO wait queue, indicating that this servlet is waiting for the object to be unlocked. As is understood by one of ordinary skill in the art, the processing of that servlet will suspend until the servlet's lock gets to the head of the FIFO queue and the object is unlocked. This is shown as the repeating test loop of Step 470, which asks whether the session object has become unlocked and available to this servlet (that is, this servlet was at the head of the queue). The manner in which this test is actually made does not form part of the present invention, but it will be obvious that the testing does not repeat continually. Polling may be done at intervals, or a notification event may be generated, etc. In the preferred embodiment, notification events are used. Such techniques are well known in the art.

Once the session object becomes unlocked and available for this servlet, control transfers to Step 480. To indicate that this servlet is no longer waiting, its entry is removed from the session object's FIFO wait queue. (In the single-tier approach, the lock entry would remain until processing had completed.) Control then transfers to Step 420, to determine whether the session is still valid. (*Bauer col. 12, line 61 to col. 13, line 2*)

Thus, as is now apparent that Baueh does not disclose dropping a network record if the session key exists in the session, but rather discloses dropping the session itself. Applicant's claims are not directed to features of sessions in distributed computers, but rather use of a session key associated with a network record and how that maps to an active session. The network record however is not a session object as disclosed by Baueh but rather an item produced from

gathering statistics concerning network data packets. These features are not disclosed by the techniques to maintain session information among multiple clustered computers, as disclosed by Baueh.

Accordingly, assuming that the examiner gave due consideration to all of the elements of Applicant's claims, which is not conceded by applicant, the examiner is still wrong because in no way can Baueh be construed as disclosing the feature of dropping the network record if the session key exists in the session. Rather, Baueh discloses to drop the session itself (*See Baueh col 11, lines 53-56*), not a network record associated with a session key.

Claims 2-14, which depend directly or indirectly on claim 1, are allowable at least for the reasons discussed in claim 1. Moreover, these claims add distinct features. For example, claim 2 requires receiving network packets and producing from the network packets the network records that contain statistics derived from the network packets. Baueh does not disclose these features. Similarly claim 4, which calls for determining whether the session key maps to an already propagated session key and dropping the network record if the session key maps to an already propagated session key, is not described by Baueh. Claim 5, which discusses passing through the network record if the network record is a pass through type network record that is not tracked, is not described by Baueh.

Claim 6, which deals with management of a session table by reciting adding the session key to an active sessions table and adding the network record as part of the session, is not described by Baueh.

Claim 10, which depends from claim 7 and recites removing the session from the active session table and session time table after propagating network record to the output file, is not described by Baueh.

Claim 15, which includes the limitations of removing duplicate records produced from gathering statistics concerning network data packets transmitted by a wireless protocol and determining if a session key associated with a network record maps to an already propagating session and if so dropping the network record, is not described by Baueh.

Applicant : Phillip Balsamo et al.
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Page : 10 of 10

Attorney's Docket No.: 11873-
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Dependent claims 16-20 are allowable at least for the reasons discussed in claim 15.
Further, these claims add distinct limitations.

Claims 21 and 26, which recites aspect of applicant's invention expressed as a computer program product (Claim 21) and a data collection system (Claim 26) are allowable for reasons discussed in claim 1. Dependent claims 22-25 are allowable at least for the reasons discussed in claim 1. In addition, the dependent claims add distinctive features, as discussed generally above.

The examiner rejected claims 13, 14 as being obvious over Bauch in view of Smith U.S. Patent 5,835,724.

Smith relates to session management for communications using the Internet and neither describes nor suggests the features of Applicant's invention whether taken alone or in combination with Bauch. Therefore, in view of the reasons discussed above, claims 13 and 14 are neither described nor suggested by Bauch taken separately or in combination with Smith.

Enclosed is a \$110 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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